

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

This Order Relates To:

ALL CASES

**ORDER REGARDING ISSUES DISCUSSED AT THE
SEPTEMBER 23, 2020 DISCOVERY CONFERENCE**

On September 23, 2020, the Court held a hearing video teleconference and now orders the following:

(1) VNA is ordered to produce Fed. R. Civ. P. 30(b)(6) witness on the thirty-two topics contained in co-lead class counsel's deposition notices. Before September 30, 2020, VNA shall notify all counsel of the identities of each witness designated for each topic.

The State of Michigan Defendants will attend the depositions and, within a reasonable time after the depositions are complete, notify VNA whether the State Defendants will proceed in

deposing any of the same witnesses in the state-court proceedings. The State Defendants will make every effort not to repeat the same questions of the VNA Rule 30(b)(6) witnesses in their state-court depositions.

(2) With regard to the Defendants' proposed property inspection protocol for the putative class Plaintiffs' property, Defendants' inspection protocol is permitted only the putative class Plaintiffs who are seeking personal injury damages. For the property inspections involving Plaintiffs Carthan and Munez, the inspections are limited to the water piping, preparing an appraisal, and related issues.

(3) With regard to the co-lead Plaintiffs' production of data from the bellwether neuropsychology expert, the VNA Defendants shall submit a proposed order, which will provide for the complete production of materials and protection of any potential testing trade secrets.

(4) With regard to the deposition of Marvin Gnagy, the VNA Defendants are ordered, before the end of this week, to work together co-liaison counsel to schedule new dates for Gnagy's

deposition at the earliest possible date. Counsel are ordered to work together to avoid unilateral cancellations of depositions in the future.

IT IS SO ORDERED.

Dated: September 24, 2020
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on September 24, 2020.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager